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9 Attorney for Debtor

10 **UNITED STATES BANKRUPTCY COURT**

11 **DISTRICT OF NEVADA**

12 In Re:) BK-S-19-16636-MKN
 13 CENSO, LLC.) Chapter 11

14 Debtor.)

15 CENSO, LLC.)

16 Appellant(s).)

17 v.)
 18 NEWREZ, LLC., DBA)
 19 SHELLPOINT MORTGAGE SERVICING)

20 Appellee(s).)

21 **APPELLANT'S DESIGNATION OF
 22 RECORD AND STATEMENTS OF
 23 ISSUES ON APPEAL FROM
 24 BANKRUPTCY COURT**

25 BAP No.: NV-20-1240

26 Appeal Reference Number: 20-29

27 **DESIGNATION OF RECORD**

28 Bankruptcy Docket #:	Filing Date:	Brief Description of Documents or Transcript:
1	10/11/2019	Chapter 11 Voluntary Petition Non-Individual. Fee Amount \$1717. Filed by COREY B. BECK on behalf of CENSO LLC.
2	10/11/2019	Declaration Re: Electronic Filing Filed by COREY B. BECK on behalf of CENSO LLC.
3	10/11/2019	Meeting of Creditors 341 Meeting to be held on 11/14/2019 at 09:00 AM at 341s - Foley Bldg, Rm 1500.
4	10/13/2019	BNC Certificate of Mailing (Related document(s) (3) Meeting of Creditors.

1	7	10/16/2019	Receipt of Filing Fee for Voluntary Petition.
2	9	11/4/2019	Motion to Extend Deadline to File Schedules or Provide Required Information Filed by COREY B. BECK on behalf of CENSO LLC.
3	10	11/4/2019	Notice of Hearing Hearing Date: December 4, 2019 Hearing Time: 9:30 AM Filed by COREY B. BECK on behalf of CENSO LLC.
4	11	11/5/2019	Hearing Scheduled/Rescheduled. Hearing scheduled 12/4/2019 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg.
5	13	11/19/2019	341 Meeting Continued 341(a) meeting to be held on 11/21/2019 at 12:00 PM at 341s - Foley Bldg,Rm 1500.
6	14	11/22/2019	341 Meeting Continued 341(a) meeting to be held on 12/5/2019 at 02:00 PM at 341s - Foley Bldg,Rm 1500.
7	15	12/5/2019	341 Meeting Continued 341(a) meeting to be held on 12/12/2019 at 12:00 PM at 341s - Foley Bldg,Rm 1500.
8	16	12/9/2019	Order Granting Motion To Extend Deadline to File Schedules or Provide Required Information
9	19	12/11/2019	Application to Employ Corey B. Beck, Esq. as Attorney Under General Retainer Filed by COREY B. BECK on behalf of CENSO LLC.
10	20	12/11/2019	Notice of Hearing Hearing Date: January 8, 2020 Hearing Time: 9:30 AM Filed by COREY B. BECK on behalf of CENSO LLC.
11	21	12/11/2019	Certificate of Service with Mailing Matrix Filed by COREY B. BECK on behalf of CENSO LLC.
12	22	12/11/2019	Non-Individual Summary of Assets and Liabilities, Schedule[s]A/B, Real Property Amount: \$ 873608, Personal Property Amount: \$ 0, D, Creditors Holding Secured Claims Amount: \$ 1400000, E/F, Creditors Holding Unsecured Priority Claims Amount: \$ 0, Creditors Holding Unsecured Nonpriority claims Amount: \$ 501500, G, H, Declaration Concerning Debtor[s] Schedules, Remaining Balance of Schedules and Statements,20 Largest Unsecured Creditors Non-Individual, Statement of Financial Affairs for Non-Individual, Disclosure of Compensation of Attorney for Debtor, List of Equity Security Holders, Verification of Creditor Matrix, Corporate Ownership Statement, Amendment to List of Creditors Filed by COREY B. BECK on behalf of CENSO LLC.

1	23	12/12/2019	Hearing Scheduled/Rescheduled. Hearing scheduled 1/8/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg. (Related document(s)19 Application to Employ filed by Debtor CENSO LLC.)
2	24	12/12/2019	341 Meeting Continued 341(a) meeting to be held on 1/23/2020 at 12:00 PM at 341s - Foley Bldg,Rm 1500.
3	25	12/13/2019	Notice of Hearing of Continued §341 Meeting Hearing Date: January 23, 2020 Hearing Time: 12:00 PM with Certificate of Service Filed by COREY B. BECK on behalf of CENSO LLC.
4	26	1/8/2020	Minute Entry Re: hearing on 1/8/2020 9:30 AM. Continued. (related document(s): 19 Application to Employ filed by CENSO LLC.) Appearance: TIMOTHY P. THOMAS (Hearing scheduled 01/22/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg.
5	27	1/21/2020	Supplemental Declaration Of: In Support of Perjury of Corey B. Beck, Esq. in Support of Application to Employ Corey B. Beck as Attorney for Debtor in Possession Filed by COREY B. BECK on behalf of CENSO LLC.
6	28	1/24/2020	341 Meeting Concluded - Assets.
7	29	1/31/2020	Monthly Operating Report for Filing Period Ending October 31, 2019 Filed by COREY B. BECK on behalf of CENSO LLC.
8	30	1/31/2020	Monthly Operating Report for Filing Period Ending November 30, 2019 Filed by COREY B. BECK on behalf of CENSO LLC.
9	31	1/31/2020	Monthly Operating Report for Filing Period Ending December 31, 2019 Filed by COREY B. BECK on behalf of CENSO LLC.
10	32	2/3/2020	Motion to Extend Exclusivity Period for Filing a Chapter 11 Plan and/or Disclosure Statement Filed by COREY B. BECK on behalf of CENSO LLC.
11	33	2/3/2020	Motion for Order Shortening Time Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)32 Motion to Extend/Limit Exclusivity Period filed by Debtor CENSO LLC.)
12	34	2/3/2020	Attorney Information Sheet Filed by COREY B. BECK on behalf of CENSO LLC.
13	35	2/4/2020	Order Granting Motion for Order Shortening Time (Related document(s) 33). Hearing scheduled 2/12/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg.

1	36	2/4/2020	Amended Motion to Extend Exclusivity Period for Filing a Chapter 11 Plan and/or Disclosure Statement Filed by COREY B. BECK on behalf of CENSO LLC.
2	37	2/5/2020	Certificate of Service with Mailing Matrix Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)33 Motion for Order Shortening Time filed by Debtor CENSO LLC.)
3	38	2/26/2020	Request for Special Notice Filed by MICHAEL W. CHEN on behalf of NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing.
4	39	2/28/2020	Amended Declaration Of: Corey B. Beck, Esq. Under Penalty of Perjury of Corey B. Beck, Esq., in Support of Application to Employ Corey B. Beck, Esq., as Attorney under General Retainer Seeking Nunc Pro Tunc Approval to Date of Filing Filed by COREY B. BECK on behalf of CENSO LLC.
5	40	3/2/2020	Order Granting Motion To Extend/Limit Exclusivity Period.
6	42	3/3/2020	Order Granting Application to Employ.
7	43	3/6/2020	Monthly Operating Report for Filing Period Ending January 2020 Filed by COREY B. BECK on behalf of CENSO LLC.
8	44	3/24/2020	Monthly Operating Report for Filing Period Ending February 2020 Filed by COREY B. BECK on behalf of CENSO LLC.
9	45	5/18/2020	Motion for Relief from Stay Property: 11441 Allerton Park Drive #411, Las Vegas, NV 89109 Fee Amount \$181. with Proposed Order with Certificate of Service Filed by MICHAEL W. CHEN on behalf of NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING (Attachments: # 1 Exhibits)(CHEN, MICHAEL).
10	46	5/18/2020	Receipt of Filing Fee for Motion for Relief from Stay(19-16636-mkn) [motion,mrlfsty] (181.00). Receipt number 19542185, fee amount \$ 181.00.
11	47	5/18/2020	Notice of Hearing Hearing Date: 06/24/2020 Hearing Time: 9:30am with Certificate of Service Filed by MICHAEL W. CHEN on behalf of NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING (Related document(s)45 Motion for Relief from Stay filed by Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING) (CHEN, MICHAEL).
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1	48	5/19/2020	Hearing Scheduled/Rescheduled. Hearing scheduled 6/24/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg. (Related document(s)45 Motion for Relief from Stay filed by Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING).
4	49	6/2/2020	Monthly Operating Report for Filing Period Ending March 2020 Filed by COREY B. BECK on behalf of CENSO LLC.
6	50	6/2/2020	Monthly Operating Report for Filing Period Ending April 2020 Filed by COREY B. BECK on behalf of CENSO LLC.
8	51	6/15/2020	Request for Special Notice Filed by MICHAEL W. CHEN on behalf of NewRez LLC d/b/a Shellpoint Mortgage Servicing.
9	52	6/15/2020	Opposition to NewRez, LLC., d/b/a Shellpoint Mortgage Servicing's Motion for Relief From Automatic Stay with Certificate of Service Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)45 Motion for Relief from Stay filed by Creditor NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING.) (Attachments: # 1 Exhibit Copy of December 19, 2013 Foreclosure Deed # 2 Exhibit Copy of December 13, 2014 Quitclaim Deed # 3 Exhibit Copy of January 9, 2019 Grant Bargain Sale Deed # 4 Exhibit Copy of October 31, 2018 Order # 5 Exhibit Copy of Allerton Property Appraisal) (BECK, COREY).
15	53	6/22/2020	Stipulation By CENSO LLC. and Between MICHAEL W. CHEN, ESQ., on behalf of NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING to Continue Motion for Relief From Stay Hearing Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)45 Motion for Relief from Stay filed by Creditor NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING)
19	54	6/23/2020	Stipulated/Agreed Order (Related document(s)53 Stipulation filed by Debtor CENSO LLC..)
21	57	7/7/2020	Adversary case 20-01077. Complaint to Determine Extent and Validity of Lien Pursuant to Bankruptcy Rule 7001(2) Filed by CENSO LLC. vs. NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING, BANK OF AMERICA, Federal National Mortgage Association Fee Amount \$350. (Attachments: # 1 Exhibit Foreclosure Deed # 2 Exhibit Quitclaim Deed # 3 Exhibit 2007 Deed of Trust # 4 Exhibit 2007 Deed of Trust # 5 Exhibit March 29, 2010 Deed of Trust) (21 (Validity, priority or extent of lien or other interest in property)(BECK, COREY).

1	58	7/7/2020	Supplement Opposition to NewRez, LLC., d/b/a ShellPoint Mortgage Servicing's Motion for Relief From Automatic Stay with Certificate of Service Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)45 Motion for Relief from Stay filed by Creditor NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING) (BECK, COREY).
2	59	7/8/2020	Document Clarification Regarding Motion for Relief From Automatic Stay with Certificate of Service Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)45 Motion for Relief from Stay filed by Creditor NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING) (Attachments: # 1 Exhibit January 9, 2019 Recorded Grant, Bargain, Sale Deed and Recorded Transfer.) (BECK, COREY).
3	60	7/9/2020	Monthly Operating Report for Filing Period Ending May 2020 Filed by COREY B. BECK on behalf of CENSO LLC.
4	65	7/17/2020	Order Granting in part, Denying in part Motion For Relief From the Automatic Stay.
5	66	7/17/2020	Clerk Forwarded Document to BNC for Noticing. (Related document(s)65 Order on Motion For Relief From Stay).
6	67	7/19/2020	BNC Certificate of Mailing - pdf (Related document(s)66 Document Forwarded to BNC for Noticing (BNC)) No. of Notices: 2. Notice Date 07/19/2020.
7	68	7/22/2020	Notice of Entry of Order Terminating Automatic Stay with Certificate of Service Filed by MICHAEL W. CHEN on behalf of NEWREZ LLC, FKA NEW PENN FINANCIAL, LLC, DBA SHELLPOINT MORTGAGE SERVICING (Related document(s)65 Order on Motion For Relief From Stay) (Attachments: # 1 Order) (CHEN, MICHAEL).
8	73	7/31/2020	Application Motion for Relief From Judgment Pursuant to FRCP 59 and Bankruptcy Rule 9023 Filed by COREY B. BECK on behalf of CENSO LLC. (Attachments: # 1 Exhibit Order Lifting Stay # 2 Exhibit Declaration of Melani Schulte)(BECK, COREY).
9	74	7/31/2020	Notice of Hearing Hearing Date: September 2, 2020 Hearing Time: 9:30 AM Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)73 Miscellaneous Application filed by Debtor CENSO LLC.)(BECK, COREY).
10	75	7/31/2020	Certificate of Service with Mailing Matrix Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)73 Miscellaneous Application filed by Debtor CENSO LLC., 74 Notice of Hearing filed by Debtor CENSO LLC.) (Attachments: # 1 Mailing Matrix) (BECK, COREY).

1	76	8/3/2020	Hearing Scheduled/Rescheduled. Hearing scheduled 9/2/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg. (Related document(s)73 Miscellaneous Application filed by Debtor CENSO LLC.)
2	77	8/6/2020	Monthly Operating Report for Filing Period Ending June 2020 Filed by COREY B. BECK on behalf of CENSO LLC.
3	89	8/31/2020	Amended Complaint to Determine Extent and Validity of Lien Pursuant to Bankruptcy Rule 7001(2) Filed by COREY B. BECK on behalf of CENSO LLC. against all defendants (Attachments: # 1 Exhibit Foreclosure Deed # 2 Exhibit Quitclaim Deed # 3 Exhibit October 31, 2019 Order in Federal District Court Case # 4 Exhibit 2007 Deed of Trust # 5 Exhibit March 29, 2010 Deed of Trust) (BECK, COREY).
4	90	9/1/2020	Monthly Operating Report for Filing Period Ending July 31, 2020 Filed by COREY B. BECK on behalf of CENSO LLC.
5	91	9/1/2020	Opposition to Debtor's Motion for Relief from Judgment with Certificate of Service Filed by MICHAEL W. CHEN on behalf of NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING (Related document(s)73 Miscellaneous Application filed by Debtor CENSO LLC..) (Attachments: # 1 Certificate of Service) (CHEN, MICHAEL).
6	92	9/2/2020	Minute Entry Re: hearing on 9/2/2020 9:30 AM. Continued. (related document(s): 69 Motion for Relief from Stay filed by NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING) Appearances: COREY B. BECK, MICHAEL W. CHEN Status Hearing to be held on 09/16/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg.
7	93	9/2/2020	Minute Entry Re: hearing on 9/2/2020 9:30 AM. Continued. (related document(s): 73 Miscellaneous Application filed by CENSO LLC.) Appearances: COREY B. BECK, MICHAEL W. CHEN Status Hearing to be held on 09/16/2020 at 09:30 AM at MKN-Courtroom 2, Foley Federal Bldg.
8	95	9/15/2020	Reply to Response to Motion from Judgment Pursuant to FRCP Rule 59 and Bankruptcy Rule 9023 Filed by COREY B. BECK on behalf of CENSO LLC. (Related document(s)94 Response filed by Creditor NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING.) (BECK, COREY).
9	97	9/18/2020	Order On Motion For Relief From Judgment Pursuant To FRCP Rule 59 And Bankruptcy Rule 9023.
10	98	9/18/2020	Clerk Forwarded Document to BNC for Noticing. (Related document(s)97 Order on Miscellaneous Application).

102	10/2/2020	Notice of Appeal. Filed by COREY B. BECK on behalf of CENSO LLC.. Fee Amount \$298 (Related document(s)97 Order on Miscellaneous Application.)
103	10/5/2020	Appeal Reference Number 20-29 (Related document(s)102 Notice of Appeal filed by Debtor CENSO LLC.)
104	10/5/2020	Notice of Referral of Appeal to BAP. Appeal Reference # 20-29 (Related document(s)102 Notice of Appeal filed by Debtor CENSO LLC..)
105	10/5/2020	Transmittal Form to BAP (Related document(s)102 Notice of Appeal filed by Debtor CENSO LLC..)
106	10/5/2020	Appeal Memorandum to BAP. Appeal Reference # 20-29 (Related document(s)102 Notice of Appeal filed by Debtor CENSO LLC..)
107	10/5/2020	Clerk Forwarded Appeal Documents to BNC for Noticing to: BAP (Related document(s)102 Notice of Appeal filed by Debtor CENSO LLC..)
108	10/6/2020	Receipt of Filing Fee for Notice of Appeal(19-16636-mkn [appeal,ntcapl] (298.00). Receipt number 19789246, fee amount \$ 298.00.(re: Doc#102) (BECK, COREY)
109	10/13/2020	BAP Appeal Court Case# NV-20-1240 Appeal Reference # 20-29 (Related document(s)102 Notice of Appeal filed by Debtor CENSO LLC..)

STATEMENT OF ISSUES

1. Whether Bankruptcy Court erred in denying Debtor's Motion for Relief From Judgment pursuant to FRCP Rule 59 and Bankruptcy Rule 9023?
2. Whether there is valid debtor-creditor relationship between debtor and NewRez, LLC., as to 11411 Allerton Park Drive property?
3. Whether debtor's proposal of paying adequate protection to NewRez, LLC., while adversary case (20-01077) is appropriate basis for automatic stay to remain while lawsuit is pending?
4. Whether there is highly unusual circumstances in said case to justify relief from order on Motion from Judgment?

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1 DATED this 16th day of October, 2020.

2 Respectfully submitted,

3 /s/ COREY B. BECK
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